

ENTERED

November 16, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

ENEX INTERNATIONAL, INC.,	§	
	§	
VS.	§	3:17-CV-00163
	§	
PRIME 3 GROUP, LLC.	§	

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

On September 12, 2020, I referred all post-judgment motions in this case to United States Magistrate Judge Andrew M. Edison pursuant to 28 U.S.C. § 636(b)(3). Dkt. 97. On October 27, 2020, Judge Edison filed a memorandum and recommendation (Dkt. 99) recommending that Plaintiff's motion for turnover relief (Dkt. 90) be granted.

No objections have been filed to the memorandum and recommendation. Accordingly, the court reviews it for plain error on the face of the record. Fed. R. Civ. P. 72(b)(3).


Based on the pleadings, the record, and the applicable law, the court finds that there is no plain error apparent from the face of the record. Accordingly:

- (1) Judge Edison's memorandum and recommendation (Dkt. 99) is approved and adopted in its entirety as the holding of the court;
- (2) Plaintiff's motion for turnover relief (Dkt. 90) is granted;
- (3) Defendant is ordered, within 10 days of this order, to turn over its tangible property and its rights to intangible property to the United States Marshals, including:

- (a) any cash, savings accounts, checking accounts or other demand deposit accounts, securities, bonds, certificates of deposit, contents of safe deposit boxes, or savings bonds;
- (b) any contractual right to payment from any third party, foreign or domestic, for goods or services rendered or royalties;
- (c) any funds in retainer accounts of its law firms, accountants or other professional services providers;
- (d) any rights to distributions from any trust, insurance policy, royalty agreement, license agreement, revenue sharing agreement;
- (e) any rights to distributions from any business entity owned, in whole or in part, by the principles of Prime 3 Group, LLC ("Prime 3"), (including Richard S. Marten or Joshua Levy);
- (f) computers, hard drives, cloud storage accounts or other devices holding or storing electronic information owned by Prime 3, including all data residing thereon;
- (g) patents, trademarks, copyrights, trade secrets or confidential information owned by Prime 3;
- (h) business records, whether in hard copy or electronically stored;
- (i) websites owned by Prime 3, and order Prime 3 to execute the documents to transfer to Enex International, Inc., any ownership of any website domains or Uniform Resource Locator ("URL") numbers in which Prime 3 has an ownership interest;
- (j) vehicles, furniture, fixtures, or equipment;
- (k) inventory, accounts receivable, promissory notes, or other negotiable instruments;
- (l) stamp, coin, precious metals, antiques, baseball cards, comic book collections, or collections of similar items;
- (m) leases, leasehold estates, or real estate owned by Prime 3 or in which Prime 3 has an interest; or

(n) any other tangible or intangible property.

Signed on Galveston Island this 16th day of November 2020.



JEFFREY VINCENT BROWN
UNITED STATES DISTRICT JUDGE